

## Message Text

UNCLASSIFIED

PAGE 01 MTN GE 02373 291651Z  
ACTION STR-04

INFO OCT-01 EUR-12 IO-13 ISO-00 STRE-00 AGRE-00 CEA-01  
CIAE-00 COME-00 DODE-00 EB-08 FRB-01 H-02 INR-07  
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-02 AID-05  
SS-15 ITC-01 TRSE-00 USIA-15 PRS-01 SP-02 FEAE-00  
OMB-01 XMB-04 OPIC-06 /118 W  
-----291700Z 028665 /43

P R 291626Z MAR 77  
FM USDEL MTN GENEVA  
TO SECSTATE WASHDC PRIORITY 2368  
INFO AMEMBASSY OTTAWA

UNCLAS MTN GENEVA 2373

ACTION STR FOR GREENWALD AND FEKETEKUTY

E.O. 11652: NA  
TAGS: ETRD MTN  
SUBJ: US-CANADIAN BILATERAL ON EXPORT RESTRICTIONS

1. U.S. MTN DEL HELD BILATERAL DISCUSSION MARCH 17  
WITH CANADIANS (CLARK AND WEEKES) ON GATT PROVISIONS  
RELATING TO EXPORT RESTRICTIONS. DISCUSSION TOUCHED ON

FIFTEEN GATT ARTICLES WHICH EXPLICITLY OR IMPLICITLY  
ESTABLISHED BROAD APPLICATION OF GATT TO EXPORTS, OR  
WHICH DEAL SPECIFICALLY WITH EXPORT RESTRICTIONS.

2. AS HAD BEEN ANTICIPATED, TWO SIDES HAD CONTRASTING  
VIEWS ON REACH OF GATT PROVISIONS AND SEVERAL SPECIFIC  
POINTS OF DISAGREEMENT EMERGED DURING MEETING. WE  
REITERATED U.S. POSITION THAT GENERAL PROHIBITION EXISTS  
UNDER GATT AGAINST DISCRIMINATORY EXPORT DUTIES/TAXES  
AND (UNLESS JUSTIFIED UNDER CERTAIN SPECIFIC EXCEPTIONS,  
PRIMARILY IN ARTICLES XI, XX, AND XXI) AGAINST EXPORT  
RESTRICTIONS OTHER THAN DUTIES, TAXES OR OTHER CHARGES;  
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PAGE 02 MTN GE 02373 291651Z

MFN DUTIES/TAXES ARE PERMISSIBLE BUT SUSCEPTIBLE TO  
GATT NEGOTIATION AND BINDING. CANADIANS, IN CONTRAST,  
SAID DISCRIMINATORY EXPORT DUTIES/TAXES CAN BE USED  
IN RETALIATORY MODE UNDER ARTICLES XIX AND XXIII, AND  
SAW "CONSIDERABLE FLEXIBILITY" TO USE QUANTITATIVE EXPORT  
RESTRICTIONS (UNDER ARTICLE XX, ON LESS-THAN-MFN BASIS).  
CANADIANS ALSO SAID THAT FREEDOM TO IMPOSE MFN EXPORT

DUTIES IS ABSOLUTE, AND THAT SATISFACTORY BINDING OF  
NEGOTIATED EXPORT CONCESSIONS WOULD REQUIRE GATT  
AMENDMENT.

3. FULL REPORT OF DISCUSSION BEING HANDCARRIED/POUCHED  
TO ADDRESSEES. AS U.S. AGREEMENT TO HOLD "INTENSIVE  
BILATERAL DISCUSSION" ON THIS SUBJECT WITH CANADIANS  
HAS NOW BEEN FULFILLED, WE SEE NO FURTHER IMMEDIATE  
ACTION REQUIRED ON OUR PART.WALKER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NEGOTIATIONS, EXPORT CONTROLS, MEETING REPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 29-Mar-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770107-0657  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** d69301b0-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION STR  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 19-Oct-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2960720  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** US-CANADIAN BILATERAL ON EXPORT RESTRICTIONS  
**TAGS:** ETRD, US, CA, MTN  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/d69301b0-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009